

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW HAMPSHIRE

Christopher Palermo

v.

Civil No. 08-cv-109-JL

Suzanne Collins, Superintendent,
Coos County Department of
Corrections, et al.

O R D E R

Before the Court is Christopher Palermo's complaint (document nos. 1, 3, 6 & 9),¹ filed pursuant to 42 U.S.C. § 1983. Palermo brings this action against Suzanne Collins, Superintendent of the Coos County House of Corrections ("CCHC"), and other CCHC employees,² alleging that the defendants have violated his federal constitutional rights during his incarceration. The complaint is before me for preliminary review

¹On March 21, 2008, Palermo filed his complaint in this matter (document no. 1). On May 12, 2008, Palermo filed an "additional complaint" (document no. 3). On May 21, 2008, Palermo filed another "additional complaint" (document no. 6). ON August 4, 2008, he filed an untitled addendum (document no. 9). I construe the latter three filings as addenda to the original complaint, and will consider the four documents, in the aggregate, to be the complaint in this matter.

²In addition to Collins, Palermo names CCHC Nurse Sherill Eastman and CCHC Dr. Robe Soucy as defendants to this action.

to determine whether, among other things, it states any claim upon which relief might be granted. See 28 U.S.C. § 1915A; United States District Court District of New Hampshire Local Rule ("LR") 4.3(d)(2). For the reasons fully explained in my Report and Recommendation issued simultaneously with this Order, I direct service of the retaliatory transfer claim in the complaint against defendant Collins, and service of the inadequate medical care claim against defendants Eastman and Soucey.³

Palermo has completed summons forms for each of the defendants to be served. Therefore, the Clerk's office shall issue the summonses against defendants and forward to the United States Marshal for the District of New Hampshire (the "U.S. Marshal's office") the summonses and copies of the complaint (document nos. 1, 3, 6 & 9), the Report and Recommendation, and this Order. Upon receipt of the necessary documentation, the U.S. Marshal's office shall effect service upon defendants. See Fed. R. Civ. P. 4(c)(2).

Defendants are instructed to answer or otherwise plead within twenty days of service. See Fed. R. Civ. P. 12(a)(1)(A).

³In my Report and Recommendation, I recommended dismissal of all of the other claims in the complaint.

Palermo is instructed that all future pleadings, written motions, notices, or similar papers shall be served directly on the defendants by delivering or mailing the materials to them or their attorney(s), pursuant to Fed. R. Civ. P. 5(b).

SO ORDERED.

/s/ Justo Arenas
Justo Arenas
United States Magistrate Judge

Date: August 14, 2008

cc: Christopher Palermo, pro se